

Application No. 09/855,027

AMENDMENTS TO THE CLAIMS

A detailed listing of all claims that are, or were, in the present application, irrespective of whether the claim(s) remains under examination in the application are presented below. The claims are presented in ascending order and each includes one status identifier. Those claims not cancelled or withdrawn but amended by the current amendment utilize the following notations for amendment: 1. deleted matter is shown by strikethrough for six or more characters and double brackets for five or less characters; and 2. added matter is shown by underlining.

1-39 Cancelled

40. (Currently Amended) A method of inducing mixed chimerism in transplanting pancreatic islet cells from a donor to a recipient of a pancreatic islet cell transplant, the method comprising:

~~transplanting a pancreatic islet cell from the donor to the recipient; and~~

~~inducing a state of mixed chimerism in the recipient according to a method that includes:~~

~~infusing donor cells performing a donor bone marrow cell transplant~~ within 96 hours ~~[[of]]~~ before or after the pancreatic islet cell transplant from the donor into the recipient, the donor bone marrow cell transplant cells ~~causing~~ inducing the production of immune system cells in the recipient that have at least one cellular marker that is characteristic of the donor immune system;

Application No. 09/855,027

administering a conditioning treatment to the recipient that is mildly myeloablative; and

administering an immune blockade treatment to the recipient.

41. (Currently Amended) The method of claim 40, wherein the donor ~~cell infusion~~ bone marrow cell transplant and the pancreatic islet cell transplant both occur within a twelve hour time period.

42. (Currently Amended) The method of claim 40, wherein the state of mixed chimerism is such that a donor chimerism level in the recipient of at least ~~[[15]]~~ 10% is achieved as determined by measurements taken from the recipient's peripheral blood samples.

43-64 Cancelled

65. (Currently Amended) The method of claim 40, wherein the donor is a clinical cadaver and the pancreatic islet cell transplant, conditioning treatment, and the ~~infusion of the donor cells~~ bone marrow cell transplant are completed within a single continuous forty-eight hour period of time.

66. (Previously Added) The method of claim 40, wherein the conditioning treatment is accomplished such that an amount of granulocytes in the recipient's blood decreases by less than 30%.

Application No. 09/855,027

67. (Previously Added) The method of claim 40, wherein the donor ~~cell infusion~~ bone marrow cell transplant is performed after the pancreatic islet cell transplant.

68. (Cancelled)

69. (Previously Added) The method of claim 40, wherein the conditioning treatment is accomplished by administering at least one drug chosen from the group consisting of fludarabine phosphate, busulfan, and cyclophosphamide.

70. (Previously Added) The method of claim 40, wherein administering the conditioning treatment is accomplished by administering at least one drug chosen from the group consisting of a purine nucleoside analog, deoxycoformycin, 2-chloro-2' deoxyadenosine, ifosamide, etoposide, mitoxantrone, doxorubicin, cisplatin, carboplatin, cytarabine, paclitaxel, nitrosoureas, melphalan, thiotepa, antilymphocyte serum, anti-thymocyte globulin, and anti-lymphocyte globulin.

71. (Currently Amended) The method of claim 40, wherein administering the immune blockade treatment is accomplished by administering at least one of the compounds selected from the group consisting of anti-CD40L, sirolimus, CTLA4Ig, LEA29Y, and CTLA4 ~~compounds that inhibit the binding of B7 to CD28.~~

72. (Currently Amended) The method of claim 40, wherein the conditioning treatment is started less than ~~six days~~ two weeks prior to the ~~infusion of the donor cells~~ bone marrow cell transplant.

Application No. 09/855,027

73. (Currently Amended) The method of claim 40, wherein the conditioning treatment is started less than ~~[[two]]~~ five days prior to the ~~infusion of the donor cells~~ bone marrow cell transplant.

74. (Currently Amended) The method of claim 40, wherein the ~~donor-cell-infusion~~ bone marrow cell transplant is performed by administering bone marrow from the donor to the recipient.

75. (Currently Amended) The method of claim 40, wherein the ~~donor cell-infusion~~ bone marrow cell transplant is performed by administering stem cells to the recipient.

76. (Currently Amended) The method of claim 75, wherein the ~~donor cell-infusion~~ bone marrow cell transplant includes administering the stem cells to the recipient ~~on more than one day in~~ at least two doses over a time course.

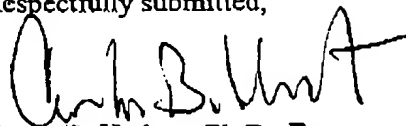
77. (Currently Amended) The method of claim 40, wherein the ~~donor cell-infusion~~ bone marrow cell transplant includes administering stem cells to the recipient that are collected from the peripheral blood of the donor.

78. (Currently Amended) The method of claim 40, wherein the conditioning treatment includes low-dose irradiation ~~of less than 500 GY~~.

79. (Currently Amended) The method of claim 40, wherein the conditioning treatment includes a low-dose total body irradiation ~~of less than 300 GY~~.

Application No. 09/855,027

Respectfully submitted,

A handwritten signature in black ink, appearing to read "C. B. Herbert".

Curtis B. Herbert, Ph.D., Esq.

Registration No. 45,443

Customer No. 24113
Patterson, Thuent, Skaar & Christensen, P.A.
4800 IDS Center
80 South 8th Street
Minneapolis, Minnesota 55402-2100
Telephone: (612) 349-3008